

Criminal & Juvenile Justice Information Advisory Group Meeting

February 12, 2021

Welcome & Introductions

Steve Washburn, Chair

Statewide Expungement Program

Nilushi Ranaweera

Office of the Attorney General



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STATEWIDE EXPUNGEMENT PROGRAM USING PROSECUTOR-INITIATED EXPUNGEMENT



Expungement of Criminal Records

Minn. Stat. Chapter 609A



Expungement by Petition

- Section 609A.02 expungement by petition
- Sealing of records in dismissals, acquittals, diversion, misdemeanors, gross misdemeanors, and about 70 enumerated felonies
- Waiting periods: None, 1 year, 2 years, 4 years, 5 years.
- Criminal history disclosure and 12-factor analysis
- Filing of Petition with the Court and service on executive branch agencies
- Payment of \$300 filing fee, or preparation and filing of IFP fee waiver
- Expungement hearing appearance



Expungement by Prosecutor Agreement

- Section 609A.025 expungement by prosecutor agreement
- Applicable to offenses enumerated in 609A.02
- Waiting periods still apply
- Criminal history and 12-factor analysis
- Stipulation and proposed order filed with the Court
- Applicant pays no filing fee
- Pleadings, service, and filing are done by prosecutor
- Administrative non-appearance calendar



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HELPSEALMYRECORD.ORG



HelpSealMyRecord.org

- Mobile friendly web portal Streamlined questionnaire
- Yes/No/I Don't Know format
- Strips away obstacles to access
- No petition, no court appearance, no filing fee



HelpSealMyRecord.org website

Criminal Records | Off x +

ag.state.mn.us/Office/Expungement.asp

Suggested Sites Intranet Homepage... Westlaw Relativity Intranet Homepage...

FILE A COMPLAINT | ORDER PUBLICATIONS | CONTACT US

The Office of
MINNESOTA ATTORNEY GENERAL
KEITH ELLISON

How Can We Help? Topics Charities About Our Office News and Important Information

HelpSealMyRecord.org: Sealing Criminal Records to Enhance Justice

Apply to Seal Your Records

Please select the county where your arrest or criminal case took place.

Hennepin County Ramsey County Washington County

All Other Counties

According to the FBI, nearly one in three adults in America has a criminal record. Long after people have atoned for the harm they caused and fulfilled their obligations to the justice system, criminal records and the collateral consequences that follow serve as barriers to jobs, housing, education and more, preventing



HelpSealMyRecord.org

HelpSealMyRecord.org - Apply to Have Your Criminal Record Sealed

This form is the application to have your criminal record expunged for all counties except Hennepin, Ramsey and Washington. If you wish to apply for expungement in Hennepin, Ramsey, or Washington County, please go to <http://helpsealmyrecord.org> and select the button for the county you wish to apply in.

* Required

1. First Name *

2. Middle Name

3. Last Name *

4. Please list any other names you have used



HelpSealMyRecord.org

- ☐ Dishonored Check
- ☐ Financial Transaction Card Fraud
- ☐ False Declaration on Assistance Application
- ☐ I don't see my offense listed

20. Have you been the victim of a crime committed against you by another person? (e.g. victim of a sex trafficking)

- ☐ Yes
- ☐ No

21. Are the records you wish to have sealed related in any way to a crime that was committed against you?

- ☐ Yes
- ☐ No

Submit



HSMR.org Process

- Application completed and submitted at HSMR.org
- AGO receives system-generated email with application details
- Receipt email sent by AGO to applicant
- Preliminary screening using MNCIS and BCA records.



HSMR.org Process

- Request BCA criminal history
- Analyze criminal history for expungement eligibility
- If eligible, then contact the Prosecutor about the expungement application
- If not eligible, send decline email
- If the Prosecutor agrees to a stipulation, then email Part-2 Questionnaire, 12-factor test
- Use application, criminal history analysis, Part-2 questionnaire, to draft stipulation and proposed order
- Send the draft stipulation and proposed order to the Prosecutor
- Once the Prosecutor signs the stipulation, we will serve a copy of the stipulation and the proposed order to the agencies
- Prosecutor will file stipulations and proposed orders with the Court
- Court adjudicates administratively on a non-appearance calendar
- All statutory service requirements and timelines apply



HelpSealMyRecord.org Results to Date

- Statewide expungement program started on October 1, 2020
- 1480 applications as of 12/31/2020
- 200 applications has reviewed
- 141 eligible 59 not eligible
- Receiving 5-8 new applications daily
- Received applications from 87 counties



HelpSealMyRecord.org Results to Date

- Success Stories
- Case 1-Theft-Misdemeanor
 - Denied for 13 jobs
 - Denied Housing
- Case 2-Domestic Assault-Misdemeanor
 - Could not pursue a career in nursing
 - Denied housing

Data and Identification Standards White Paper Next Steps

Chief Jeff McCormick

Advisory Group Purpose Statement Discussion

Chairs/Members

PURPOSE:

The Criminal and Juvenile Justice Information Advisory Group serves as Minnesota's advisory group on statewide criminal justice information policy and funding issues. The group will study and make recommendations to the governor, the courts, the legislature, and other key stakeholders on criminal justice information policy and funding issues. The scope of criminal justice policy issues includes data practices, individual privacy rights, and data on race and ethnicity; information-sharing at the local, state, and federal levels; technology education and innovation; the impact of proposed legislation on the criminal justice system related to information systems and business processes; and data and identification standards.

May Agenda Items and any other
business

Members

Next Meeting:
Friday, May 14, 2021
9:00 a.m. – 11:00 a.m.
TBD

Adjourn

Thank you for coming!